



June 30, 2006

Ex Parte

Thomas Navin
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *E911 Requirements for IP-Enabled Service Providers*,
WC Docket No. 05-196

Dear Mr. Navin:

AOL Enhanced Services, LLC (“AOL”), a wholly owned subsidiary of AOL LLC, is writing to inform the Commission about AOL’s recent introduction of a new interconnected VoIP service based on the AOL Instant Messenger (“AIM”) platform. As with AOL’s TotalTalk service,¹ AOL has made emergency calling a top priority and has devoted substantial resources to ensuring that the new service complies fully with the Commission’s E911 rules, as described further below.

AOL’s new AIM-based service integrates voice communications capabilities with AIM’s well-known instant messaging and related features. In addition to a free version of the new service that enables PC-to-PC and PSTN-to-PC calling, AOL offers a paid service that provides two-way interconnected VoIP functionality. Subscribers are able to place calls from an on-screen dial pad—also known as a “soft phone.”

The methods that AOL has implemented to ensure that its new AIM-based service complies with the Commission’s E911 requirements are similar to the measures that AOL developed for the “soft phone” feature of its TotalTalk service and described the Commission in the *TotalTalk*

¹ See Letter of Tekedra M. Jefferson, Assistant General Counsel, America Online Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 04-36 and 05-196 (Nov. 28, 2005) (“*TotalTalk Compliance Letter*”) (describing TotalTalk Service and its compliance with the Commission’s E911 rules).

*Compliance Letter.*² Specifically, AOL has implemented the following measures as part of AIM's interconnected VoIP service:

² *See id.* at 4-6.

Notifications and Acknowledgements

- AOL advises all subscribers to its new service that the E911 capability functions differently than the 911 emergency features of traditional telephone services and may not be available as a result of power loss, broadband connection failure, or failure to log into the service properly. AOL obtains an affirmative acknowledgement from all subscribers regarding these limitations.
- Because the AIM-based service has nomadic capabilities, AOL believes that sending conventional warning labels may not adequately inform subscribers regarding the service's E911 features and potential limitations. Accordingly, AOL is developing a more robust warning feature that posts an "online sticker" on the subscriber's computer screen. Through this innovative approach, subscribers view information regarding E911 each time they log into the AIM-based VoIP service and at every location from which they access the service—something paper stickers cannot ensure with respect to a software-based nomadic service.
- Subscriber advisories regarding 911 calling are included in the Terms of Service and the website's Frequently Asked Questions section. Subscriber advisories also are available directly through the on-screen dashboard, through the AIM client upon the initial registration and log-in, and through emails from AOL regarding 911 calling.

Registered Location Requirement

- AOL obtains a Registered Location from each subscriber during the initial registration process. As an additional safeguard, AOL requires a subscriber to confirm or update her address each time she logs into the service before the dialpad will appear and allow calls to be placed. Subscribers provide such information using an electronic interface comparable to the one AOL developed for its TotalTalk service. As AOL has described, this electronic interface is comparable to the movement-detection capability (or "heartbeat" solution) AOL developed for its TA-based TotalTalk service.³
- In addition, as described in the *TotalTalk Compliance Letter*, AOL developed an innovative tool to facilitate location updates for TotalTalk.⁴ AOL uses this tool for its new AIM-based service and

³ See *TotalTalk Compliance Letter* at 5.

⁴ See *id.* at 3.

believes it will be particularly useful for nomadic users. Specifically, subscribers are able to pre-enter address information through the on-screen “dashboard” for up to 20 locations that they visit frequently. When a subscriber changes locations, she can simply choose the appropriate address from a drop-down menu, rather than having to input such information repeatedly upon each log-in. AOL believes that this easy-to-use feature will significantly improve the reliability of customer-provided location updates.

- Consistent with the *VoIP E911 Order*, and with the procedures for AOL’s TotalTalk service, AOL treats the most recently provided address (or, where the subscriber has not changed locations, the most recently confirmed address) as the Registered Location for purposes of E911 call routing.
- Because the AIM client allows subscribers to log in from multiple locations using a single screen name, AOL takes special precautions to ensure that 911 calls result in emergency services being dispatched to the correct location. Most importantly, any time a subscriber logs into the AIM-based VoIP service from one location and the same screen name is later used to log in from a different location, the calling capabilities are immediately suspended at the original location. In addition, the user at the new location receives a prompt directing her to “press 1” to log off from the previous location. If the user accepts the prompt, the previous AIM session is terminated and the initial log-in screen reappears at the original location. Because of these and other safeguards, a subscriber’s 911 call from one location will not cause emergency services to be dispatched to a different location.
- The AIM-based service was not designed to—and does not—work on mobile phones and personal data assistants (“PDAs”). Mobile phones and PDAs that are capable of accessing the Internet cannot launch the AIM client because it is incompatible with the operating software used on such devices. Mobile handheld devices therefore cannot be used to place calls using the AIM-based service. AOL will monitor the compatibility of the AIM client with operating software used on mobile devices, and will inform the Commission if any changes result in enabling the use of the AIM-based voice service on such devices.

Routing of 911 Calls

- AOL routes all 911 calls via the dedicated wireline E911 network to the geographically appropriate Public Safety Answering Point (“PSAP”) with call-back and location information. AOL has worked

with its vendor partners to ensure connectivity to PSAPs throughout as much of the United States as possible. When a subscriber's address information is initially registered, AOL provisions E911 by using either a dynamic, real-time solution provided by its vendors or, as a default, a fixed wireline solution. AOL does not initiate service at any location given by the subscriber where E911 is unavailable (unless that unavailability results from the PSAP's lack of a selective router, in which case the Commission's rules require only basic 911).

- If a subscriber subsequently provides updated location information, AOL's vendors will provide real-time address validation and routing updates that will enable a truly nomadic E911 solution within a growing geographic footprint. If a subscriber travels to a location outside this nomadic E911 footprint—and, again, the AIM-based service will require affirmative confirmation of the subscriber's location upon each and every log-in to the AIM client—AOL will suspend the subscriber's calling capabilities until the subscriber confirms that she has returned to a location where E911 is available using the real-time nomadic E911 provisioning solution.

AOL commends the Commission for its commitment to public safety and appreciates the opportunity to work with the Commission to ensure that its VoIP services include appropriate emergency-calling capabilities. Please contact the undersigned if you have any questions regarding the matters discussed in this letter.

Respectfully submitted,

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Tekedra M. Jefferson
Assistant General Counsel

cc: Marlene Dortch